

**To:** Linn, Peggy[Linn.Peggy@epa.gov]  
**From:** Schmittdiel, Paula  
**Sent:** Mon 2/24/2014 9:08:04 PM  
**Subject:** RE: Durango Herald: Silverton struggles to clear the air

## Deliberative Process/Ex. 5

Paula Schmittdiel

Remedial Project Manager

U.S. Environmental Protection Agency

1595 Wynkoop St.

Denver, CO 80202

Office: 303-312-6861

Cell: 720-951-0795

**From:** Linn, Peggy  
**Sent:** Monday, February 24, 2014 1:52 PM  
**To:** Faulk, Libby; Wharton, Steve; Schmittdiel, Paula  
**Subject:** RE: Durango Herald: Silverton struggles to clear the air

What an article! Last week's Silverton Standard had an editorial from an individual involved in the OHV issue for Silverton's main street. She mentioned taking that to the citizens through a vote as well as the issue of bringing marijuana businesses to the town. Maybe it is time to do

## Deliberative Process/Ex. 5

Peggy Linn

US EPA Region 8

1595 Wynkoop St. 8OC

Denver, CO 80202-1129

303-312-6622

[linn.peggy@epa.gov](mailto:linn.peggy@epa.gov)

**From:** Faulk, Libby  
**Sent:** Monday, February 24, 2014 1:39 PM  
**To:** Linn, Peggy; Wharton, Steve; Schmittiel, Paula  
**Subject:** FW: Durango Herald: Silverton struggles to clear the air

FYI, in case you hadn't seen this.

Libby Faulk, PAI Unit Supervisor  
Public Affairs and Community Involvement  
US EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202  
303-312-6083

**From:** Davis, Tim  
**Sent:** Monday, February 24, 2014 9:23 AM  
**To:** Faulk, Libby  
**Subject:** FW: Durango Herald: Silverton struggles to clear the air

Yuck! ☺ FYI, in case you haven't see this lovely article!

**From:** Frank [mailto:[Personal Email/Ex. 6](#)]  
**Sent:** Sunday, February 23, 2014 4:23 PM  
**To:** homebythehills  
**Subject:** Durango Herald: Silverton struggles to clear the air

## Silverton struggles to clear the air

JERRY McBRIDE/Durango Herald file photo

Water flowing down the mountainside out of the Red and Bonita Mine contains high levels of manganese, zinc, copper, lead, cadmium, aluminum and iron that will make its way into Cement Creek. The pollution inhibits aquatic life and vegetation. Since about 2004 metal concentrations in Cement Creek, which flows into the Animas River, have “easily doubled,” says Peter Butler of the Animas River Stakeholders Group.

By Chase Olivarius-Mcallister Herald staff writer

SILVERTON - Silverton's abandoned mines have oozed toxic metals into the local water system for decades.

While the Environmental Protection Agency has frequently sought a Superfund listing, some people of Silverton have long resisted federal intervention on the grounds it would hurt tourism and besmirch the prospect of mining's return – even as mining pollution killed off three of four trout species in the Upper Animas River.

But the tides may be changing in Silverton, “the mining town that never quit.” At Thursday's meeting of the Animas River Stakeholders Group, San Juan County Commissioners Peter McKay and Ernie Kuhlman told the government scientists, mining representatives and reporters who had gathered in Silverton's Town Hall that the public's exasperation with the environmental damage is mounting, and at this point, Superfund has to be one of the options being investigated.

McKay said the 20-year-old issue of what to do about Silverton's mines had reached a “tipping point.”

“People don't understand why there isn't a solution,” he said. “As county commissioners, we don't know how to answer people in our own county, and more and more communities downstream, including the La Plata County commissioners.

“If the solution isn’t the EPA, we have to hear what it is,” he said.

Years and years

For years, no solution has been equal to the problem – despite the efforts of the stakeholders group, which, in the absence of a Superfund designation, has tried to work collaboratively with the EPA and Sunnyside Gold Corp. to improve water quality in the Animas.

In fact, water quality has gotten much worse in the Animas River.

Between 2005 and 2010, three out of four of the fish species that lived in the Upper Animas River beneath Silverton died. According to studies by the U.S. Geological Survey, both the volume of insects and the number of bug species have plummeted. And starting in 2006, USGS scientists now find the water that flows under Bakers Bridge – and thereafter, into Durango – carries concentrations of zinc that are toxic to animal life.

The technology to clean the dirty water exists: a limestone water treatment plant. But the stakeholders group has no money to pay for it, and the EPA estimates it would cost between \$12 million and \$17 million to build and \$1 million a year to run – in perpetuity.

Sunnyside Gold Corp., the last mining company to operate in Silverton, was bought in 2003 by Kinross Gold Corp., an international mining conglomerate that generated billions in revenue in 2013. Sunnyside denies all liability for cleaning up the worsened metal pollution. It has offered \$6.5 million – not enough for a limestone water treatment plant – in return for being released from all liability.

Superfund?

At the stakeholders group meeting, Commissioner Kuhlman insisted that after years of deliberation, the stakeholders group, if not the greater community, should take definitive action.

“I think we ought to come to conclusion one of these days,” he said.

Some Silverton residents voiced continued opposition to a Superfund listing. Steve Fearn said it would nearly destroy Silverton’s allure to mining companies.

Kuhlman said there had been no mining in Silverton for 25 years.

Mark Esper, editor of the Silverton Standard, interrupted the stakeholders’ conversation about data collection to ask when, if ever, the stakeholders would come up with a recommendation about what to do to finally clean up the water. Answers varied, but each was posed in terms of years, not months.

McKay said that kind of time frame was increasingly unacceptable.

“People are getting ever more uneasy. You guys are doing a wonderful job, but take another breath, and that’s a year,” he said.

Peter Butler, co-coordinator of the Animas River Stakeholders Group and chairman of the Colorado Water Quality Control Commission, said the group would never render a verdict on the Superfund listing because its membership includes both the EPA and Sunnyside Gold.

#### At stake

For a while, it appeared that the stakeholders’ collaborative effort to clean up Cement Creek was working: After Sunnyside Gold Corp. stoppered American Tunnel with the first of three massive concrete bulkheads in 1996, declining water flow from the site meant less metal pollution in Cement Creek.

But Butler told The Durango Herald that in 2004, the bulkheads stopped functioning like a cork in a wine bottle. Instead, they started working like a plug in a bathtub: water, prevented from exiting the mountain through American Tunnel, rose up within the mountain until it reached other drainage points, namely, the Red and Bonita, Gold King and Mogul mines.

Since then, Butler said, data shows that most metal concentrations in Cement Creek have “easily doubled” their pre-bulkhead amounts. He said as a result, the recent environmental damage done to the Animas has far outpaced gains made in other stakeholders group cleanup efforts, like the remediation of Mineral Creek, another Animas River tributary.

#### Red and Bonita

At the meeting, EPA’s Steve Way proposed placing a bulkhead in Red and Bonita Mine, saying it might reduce the amount of water that ultimately needs to be treated by a limestone water treatment plant, making the plant cheaper to build.

But in a phone interview after the stakeholders meeting, he said a Red and Bonita bulkhead would dovetail, not obviate, the EPA’s pursuit of a Superfund designations in Silverton.

Silverton resident Roy Ferguson spoke out against the Red and Bonita bulkhead, saying “if you plug that up, it precludes mining” in the future.

He said, given the unpredictability of technology, it was too soon to discount the idea that mining might return to Silverton.

“Tellurium was pretty useless until they invented computer chips,” he said.

Kirsten Brown, with the Colorado Division of Reclamation, Mining and Safety, said modern mining techniques mean a “real mining company” could work around the bulkhead at Red and Bonita.

Way said the Red and Bonita bulkhead will cost between \$750,000 and \$1.5 million, and the EPA would likely pay for it.

In an interview, Way said pollution was a moral issue.

“It’s not for me to get on my soapbox and tell Silverton what to do. It’s fundamentally not OK to degrade a body of water of that significance for the long term,” he said.

At the stakeholders meeting, Ferguson later seemed to change his mind about the Red and Bonita bulkhead.

“After all, there’s an outside chance it might work,” he said.